

Appl. No. 10/756,870
Amdt. Dated 06/15/05
Reply to Office Action of 03/15/05

Remarks/Arguments

Applicant would like to thank the examiner for the thorough review of the present application. Applicant has amended claims 1, 7, and 12 to better recite applicant's claimed invention and Applicant has canceled claims 3, 6, 8, 11, 13, and 15. Applicant respectfully submits no new subject matter has been introduced into the amended claims because all new claim recitations are clearly disclosed in the originally filed drawings and a person of ordinary skill in the art would understand the new claim recitations.

The examiner has rejected claims 1-2, 4-7, 9-12, and 14-15 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 1,359,213 to Welch, in view of U.S. Patent No. 3,959,995 to Fletcher. The examiner acknowledges that Welch does not disclose the locking members having a plurality of elongated sections pivotally connected to each other, as recited in applicant's claims 1, 7, and 12. However, the examiner asserts it would have been obvious to one having ordinary skill in the art to combine the hinges of Fletcher (See Fletcher FIGS 2-6) with Welch in order to have the locking device of Welch collapse into a compact configuration so as to be easily stowed away and to teach applicant's claimed invention. Applicant submits that Welch discloses a pin (24) with a head (27) which is too large to pass through the perforation (25), and prevents the two members of the lock from opening far enough to become released from the casing of the steering post (See Welch Pg. 2, Lines 18-24).

Therefore, Applicant submits the locking device of Welch has limited actuation and can not be transported, as suggested by the Examiner. Welch teaches away from being "collapsed into a compact configuration and carried in an individual's pocket" (see page 3 of Examiner's Office Action), because the device of Welch is designed to be irremovable from the casing of the steering post. Accordingly, there is no teaching, suggestion, or motivation for someone with ordinary skill in the art to modify the locking member of Welch with the hinges of Fletcher to be "collapsed and carried in an individual's pocket", as stated by the Examiner.

The examiner further asserts that Welch discloses a locking device having a plurality of locking members (10 and 12), as recited in applicant's claims 1, 7, and 12.

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Applicant's amended claims 1, 7, and 12 now recite another locking member having a monolithically L-shaped member with a fixed rigid shape that is non-adaptable, as recited in Applicant's independent claims. Applicant submits Welch does not teach an L-shaped and monolithically formed locking member. Applicant's amended claims 1, 7, and 12 now further recite the locking members forming a substantially square shape. Applicant submits Welch teaches arcuate shaped locking members that do not include a monolithically formed L-shaped member, and are not capable of forming a square shape. Therefore, applicant submits Welch as modified by Fletcher does not teach applicant's claimed invention, as recited in applicant's amended claims 1, 7, and 12.

Furthermore, Welch specifically teaches the need for an arcuately shaped members 10 and 12, which are curved interiorly to correspond with the curvature of the casing 7 of the steering post (see page 2 of Welch, lines 80-83). Therefore, Welch specifically teaches away from providing a "substantially square shape" with its members 10 and 12, as recited in Applicant's amended claims (emphasis added).

The examiner further asserts Welch's locking members are engageable with each other when the lock is moved to a closed position, as recited in applicant's claims 1, 7, and 12. Applicant's amended claims 1, 7, and 12 now recite locking members defining an equilibrium position when the hasps are engaged with each other, and remaining at such equilibrium position when the hasps are disengaged from each other. Applicant respectfully submits the locking members of Welch automatically disengage due to a spring seated in the locking member which engages the casing (See Welch Pg. 2, Lines 82-86, 95-99, and 107-111). Applicant submits that the locking members of Welch can be defined to be in an equilibrium position when the hasps are engaged with each other, but do not remain at this defined position when the hasps are disengaged due to the automatic actuation by the spring seated in the locking member. Therefore applicant submits Welch as modified by Fletcher does not teach applicant's claimed invention.

In view of these considerations, it is respectfully submitted that the rejection of the original claims should be considered as no longer tenable with respect to the currently amended independent claims 1, 7, and 12. All pending dependent claims

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necessarily include the recitations of their independent claims and therefore are also in condition for allowance.

Should the examiner consider necessary or desirable to make formal changes anywhere in the specification, claims and/or drawings, then it is respectfully asked that such changes be made by examiner's Amendment, if the examiner feels this would facilitate passage of the case to issuance. Alternatively, should the examiner feel that a personal discussion might be helpful in advancing this case to allowance, he is invited to telephone the undersigned attorney.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,
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By


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